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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,084	03/29/2001	Christian R. Thomas	42390P10460	7001

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

GARG, YOGESH C

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JE

Advisory Action	Application No. 09/823,084	Applicant(s) THOMAS ET AL.	
	Examiner Yogesh C Garg	Art Unit 3625	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-20.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet



Yogesh C Garg
Primary Examiner
Art Unit: 3625

Continuation of 5. does NOT place the application in condition for allowance because: the applicant's arguments are not persuasive. The applicant argues that in the reference Graham the communication proxy does not match a communication proxy as specified by the client. The examiner respectfully disagrees because Graham teaches that the protocol of communication proxies ["404". In Graham, as analyzed in the previous office action communication proxies correspond to client adapter servlets 404] do match the types specified by the client [see at least Fig.7, "Determine Client Request Protocol 702", and col.6, lines 6-11, 66-67, col.7, lines 7-12 which all suggest that the client specifies its own protocol and that adaptor servlet has to be compatible with the client's protocol.].

The applicant's argument with reference to Graham's suggestion that the protocol of the requestor client and service provider are unimportant do not apply to the selection of the client's adaptor servlet because as analyzed above the client's adaptor servlet's [communication proxy] protocol is compatible with that of the client's. It is only after the communication proxy is chosen that the protocols of the client and the service provider are unimportant. However, the claims do not recite the detailed functions of the communication proxy, if they do or do not convert the client's messages to a canonical representation except for the function of allowing the client to access a web server and this function is already disclosed in Graham as analyzed in the previous office action..

Continuation of 10. Other: The applicant has amended claim 1 and canceled claim 21. Both the amendment to claim 1 and the cancellation of claim 21 are accepted and entered because the new limitation added to claim 1, that is, "matches a communication proxy type specified by the client" is already considered on merits and rejected in claims 6 and 13.